

REMARKS

Initially, applicants' wish to acknowledge with appreciation the Examiner's indication of allowable subject matter in claim 10 of the application.

Entry of the foregoing amendments is respectfully requested. Claims 3, 6, 8, 10, 11 and 16 have been amended. Claims 1, 2, 7, 9 and 13 have been canceled. Claims 3-6, 8, 10-12, 14 and 16 are currently pending in the application. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing amendments and the remarks that follow.

1. Claim Rejections Under 35 U.S.C. § 112

In the Office Action, the Examiner has rejected claims 1-12, 14 and 16 under 35 USC § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.

Applicants respectfully traverse the Examiner's rejection of claims 1-12, 14 and 16. More specifically, with this response applicants' have amended claim 10 into independent form and have changed the limitation on line 13 of claim 10 to "vibration generating mechanism" as required by the Examiner.

As a result, the subject matter of claim 10, and claims 3-6, 8, 11, 12, 14 and 16 that depend from claim 10 are definite. Applicants therefore respectfully request that the Examiner withdraw the rejections to claims 3-6, 8, 10-12, 14 and 16.

2. Claim Rejections Under 35 U.S.C. § 103(a)

a) Claims 1, 2, 6-9, 11, 12, 14, 16, 17 and 20

In the Office Action, the Examiner has rejected claims 1, 2, 6-9, 11, 12, 14, 16, 17 and 20 under 35 U.S.C. 103(a) as being unpatentable over Lishanski et al. U.S. Patent No. 6,428,289 (the '289 patent) in light of Nottingham et al. U.S. Patent No. 5,716,007 (the '007 patent).

Applicants respectfully traverse the Examiner's rejections to claims 1, 2, 6-9, 11, 12, 14, 16, 17 and 20 based on the '289 and '007 patents. More specifically, pursuant to the statement of the Examiner that claim 10 would be allowable if rewritten into independent form, with this

response applicants' have amended claim 10 into independent for to include the limitation of claims 1, 2, 7 and 9 from which claim 10 depended. In addition, applicants' have amended each of the claims remaining in the application to depend from claim 10.

Therefore, claim 10, and claims 6, 8, 11, 12, 14 and 16 that depend from claim 10, are allowable and applicants respectfully request that the Examiner withdraw the rejections to claims 6, 8, 10-12, 14 and 16.

b) Claims 3-5

In the Office Action, the Examiner has also rejected claims 3-5 under 35 U.S.C. 103(a) as being unpatentable over the '289 patent in view of the '007 patent.

Applicants respectfully traverse the Examiner's rejections to claims 3-5 based on the '289 and '007 patents. More specifically, as stated previously, with this response applicants' have amended claim 10 into independent for to include the limitation of claims 1, 2, 7 and 9 from which claim 10 depended. In addition, applicants' have amended each of the claims remaining in the application to depend from claim 10.

Therefore, based on their dependency from claim 10, claims 3-5 are allowable and applicants respectfully request that the Examiner withdraw the rejections to claims 3-5.

c) Claims 18 and 19

In the Office Action, the Examiner has rejected claims 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over the '289 and '007 patents further in view of Silvenis et al. U.S. Patent No. 5,150,841 (the '841 patent).

Applicants respectfully traverse the Examiner's rejections to claims 18 and 19 based on the '289, '007 and '841 patents. More specifically, as stated previously, with this response applicants' have amended claim 10 into independent for to include the limitation of claims 1, 2, 7 and 9 from which claim 10 depended. In addition, applicants' have canceled claims 18 and 19, rendering the rejection to these claims moot.

Serial No. 10/655,340 - Lishanski et al.
Art Unit 3746 – Attorney Docket 423.008
Response to Office Action dated November 10, 2008
Page 7 of 7

CONCLUSION

It is submitted that claims 3-6, 8, 10-12, 14 and 16 satisfy the requirements of 35 U.S.C. §§112 and 103 and each define patentable subject matter. A Notice of Allowance is therefore respectfully requested.

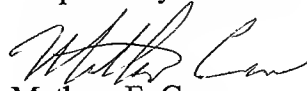
The Examiner is invited to contact the undersigned by telephone if it would help expedite the allowance of this application.

No fees are believed to be payable with this response. However, authorization is given to charge any fees or credit any overpayment to Deposit Account No. 50-1170

Dated: 1/8/09

Boyle Fredrickson, S.C.
840 North Plankinton Avenue
Milwaukee, WI 53203
Telephone: (414) 225-9755
Facsimile: (414) 225-9753
Email: mec@boylefred.com
Customer No. 23598

Respectfully submitted,


Mathew E. Corr
Reg. No. 45,434